



**US Army Corps
of Engineers**
Louisville District ®

Joint Public Notice

Public Notice No.
LRL-2012-45-sam

Open Date:
16 June 2017

Close Date:
16 July 2017

Please address all comments and inquiries to:

U.S. Army Corps of Engineers, Louisville District
ATTN: Mr. Scott Matthews, CELRL-RDE
8902 Otis Avenue, Suite S106B
Indianapolis, Indiana 46216

Phone: 317-543-9424

This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 404 of the Clean Water Act (CWA), and for State Water Quality Certification pursuant to Section 401 of the CWA from the Indiana Department of Environmental Management, Office of Water Quality.

APPLICANT: Indian Creek Quarries, LLC
Post Office Box 347
Washington, IN 47501

AGENT: VET Environmental Engineering, LLC
2335 West Fountain Drive, Suite B
Bloomington, IN 47404

LOCATION: On Mount Olive Road, beginning 0.3 miles west of Williams Road to 0.80 miles west of Williams Road in Lawrence and Martin Counties, Indiana.

Latitude: 38.8080
Longitude: -86.6898
7.5 Minute Quad: Williams

PURPOSE: Expand crushed stone quarry

DESCRIPTION OF WORK: The applicant proposes to, over a period of twenty years, expand a limestone quarry with its associated infrastructure, storm water appurtenances, and overburden storage. The applicant requests after-the-fact authorization for discharge fill material consisting of earthen material and limestone rock into 2,140 linear feet of unnamed tributaries to Indian Creek and 0.085 acres of adjacent emergent wetlands. Additionally, the applicant proposes to discharge fill into an additional 560 linear feet of unnamed tributary and 0.178 acres of open water.

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Water Resources	Resource Type	Impact (Linear feet)	Impact (Acres)	After-the-fact?
Wetland 4a	Emergent	NA	0.085	Yes
Open Water 1	Open Water	NA	0.096	No
Open Water 2	Open Water	NA	0.082	No
Stream 1	Ephemeral	1,198	NA	Yes
Stream 2	Ephemeral	126	NA	Yes

Stream 3	Ephemeral	329	NA	No
Stream 4	Ephemeral	63	NA	No
Stream 5	Ephemeral	706	NA	Yes
Stream 6	Ephemeral	64	NA	Yes
Stream 7	Ephemeral	46	NA	Yes
Stream 8	Ephemeral	168	NA	No
Total		2,700	0.263	

AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES: The applicant has modified its 20-year mining plan to minimize further impacts to jurisdictional waters.

Mitigation is required for the impacts that have already occurred and would be for proposed impacts. The applicant proposes onsite mitigation that includes: 1) 50-foot riparian buffer planting and enhancement along 3,081 linear feet along the left bank of Indian Creek (perennial) and the right bank of an unnamed tributary (ephemeral); 2) Reforestation of 6.08 acres of bottomland and wetland within the Floodway of Indian Creek; and 3) Preserve 9.13 acres of forested wetland, two seeps and 536 linear feet and an unnamed tributary to Indian Creek.

It is noted that this proposed mitigation plan is open to comment and subject to change. The Corps will make a determination of appropriate mitigation, upon review of all submitted information.

REVIEW PROCEDURES: A DA Permit cannot be issued if any legally required Federal, State, or local authorization or certification is denied.

A DA Permit, if otherwise warranted, will not be issued on this project until a State of Indiana Section 401 Water Quality Certification (WQC) from the Indiana Department of Environmental Management (IDEM) is on file in this office or it is considered waived. This Public Notice may constitute the application for the 401 certification. The IDEM will review this proposal for compliance with the applicable provisions of Section 301, 302, 303, 306 and 307 of the CWA, including the state water quality standards currently set forth at 327 IAC 2. They will consider comments regarding this proposal postmarked by the closing date of this notice. Comments to IDEM should be addressed to: IDEM, Office of Water Quality, Section 401 WQC Program, 100 N. Senate Avenue Room N1255, Indianapolis, Indiana 46204. The applicant is responsible for obtaining the certification from IDEM.

Copies of this notice are sent to the appropriate Federal and State Fish and Wildlife Agencies. Their views and comments are solicited in accordance with the Fish and Wildlife Coordination Act of 1956. Based on available information, the proposed activity will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. A request for a public hearing must state the specific interest which might be damaged by issuance of the DA Permit.

The National Register of Historic Places has been examined, and it has been determined that there are no properties currently listed on the Register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, prehistorical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetic values, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and in general, the needs and welfare of the public.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. It is presumed that all interested parties and agencies will wish to respond; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written statements received in this office on or before the closing date will become a part of the official record and will be considered in the determination on this permit request. Any objections which are received during this period will be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. A permit will be granted unless its issuance is found to be contrary to the public interest.

Information pertaining to this application is available for public examination during normal business hours upon prior request. Drawings are available on Louisville District's Internet site at <http://www.lrl.usace.army.mil/Missions/Regulatory.aspx>. All comments regarding this proposal should be addressed to Mr. Scott A. Matthews, CELRL-RDE at the address noted above and should refer to the Public Notice Number LRL-2012-45-sam.

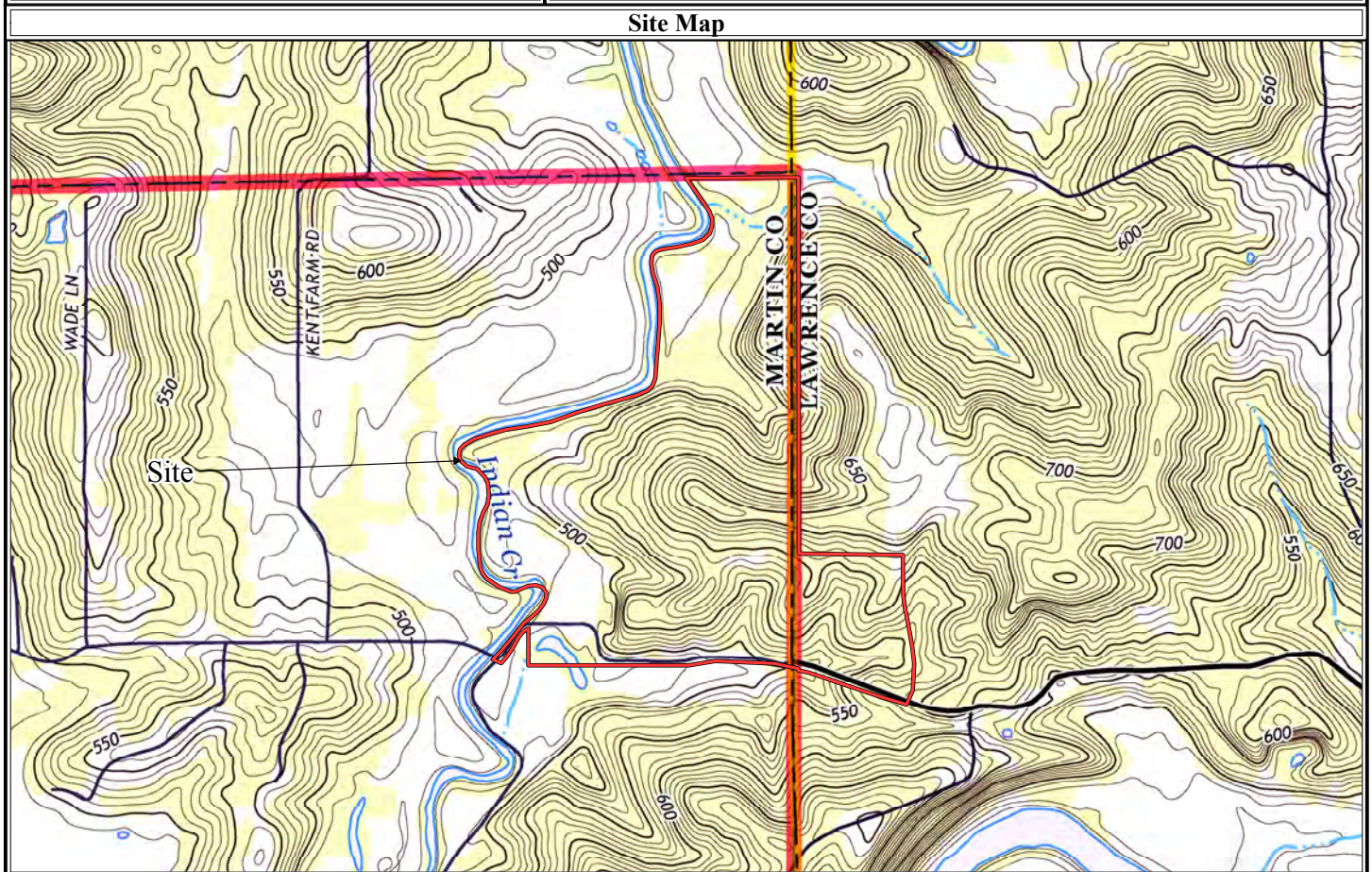
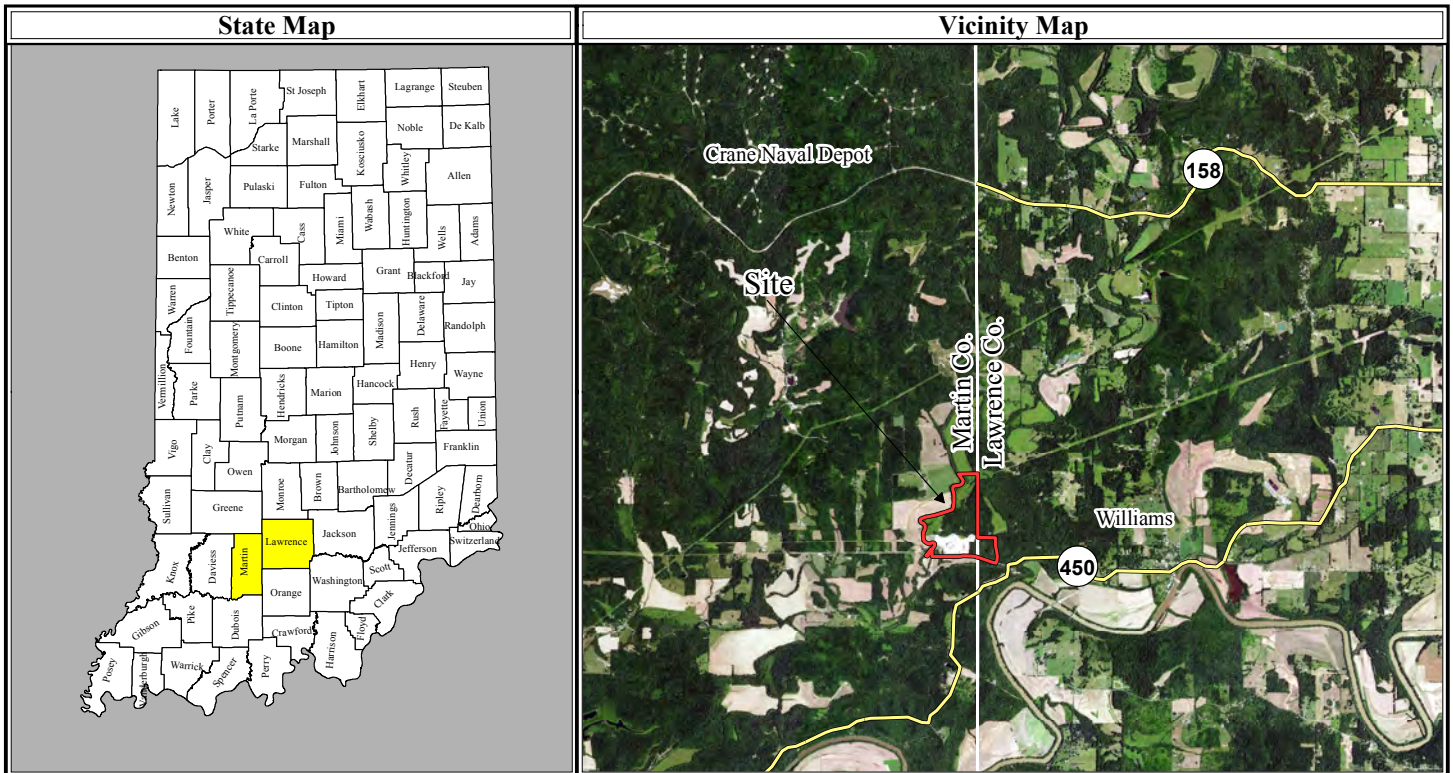
If you desire to submit your comments by email, you must comply with the following:

- a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-2012-45-sam.

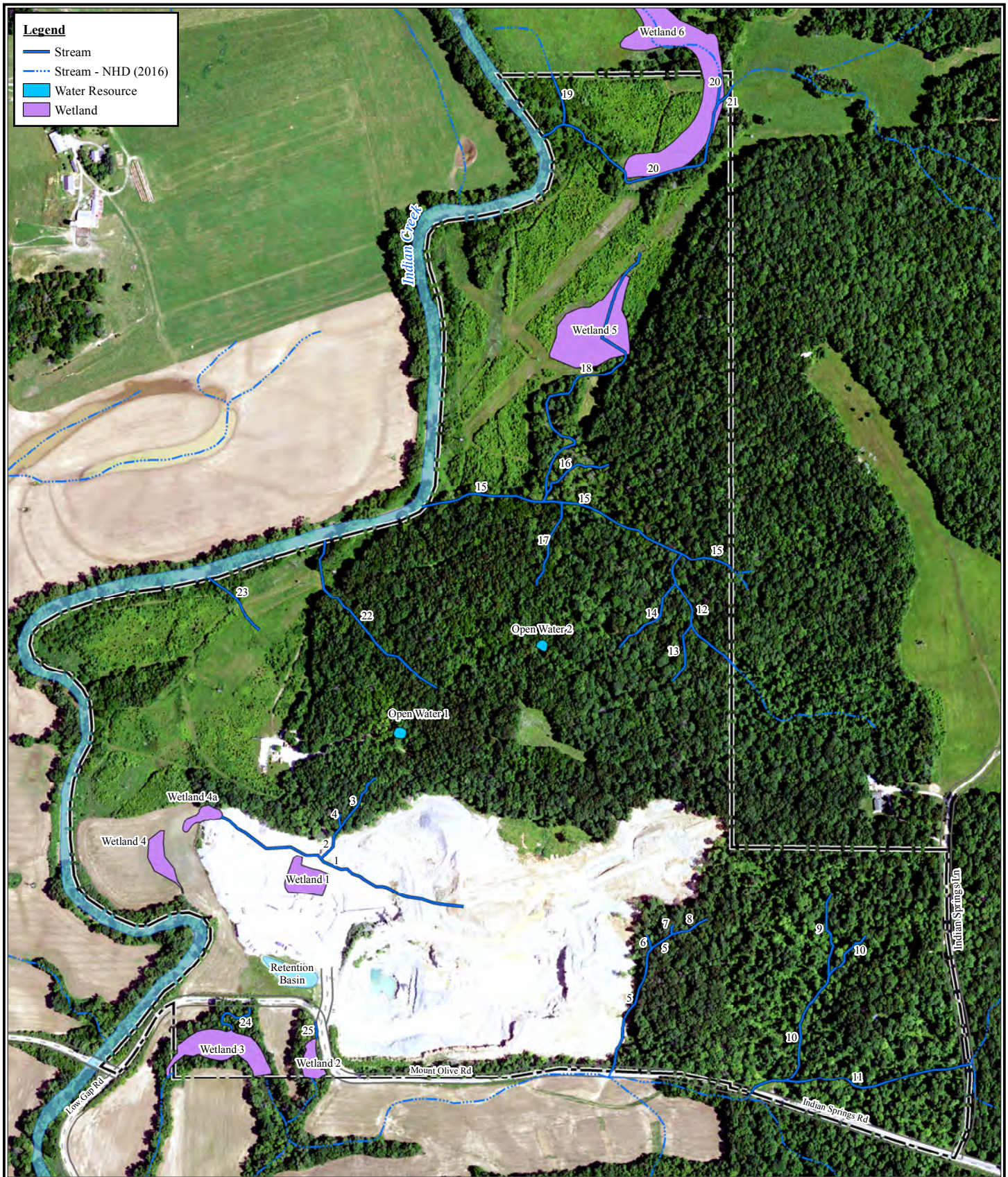
Example:

Subject: LRL-2012-45-sam

- b) Provide your physical mailing address and telephone number.
- c) Send your email to: lrl.regulatorypubliccomment@usace.army.mil.
- d) If you are sending attachments greater than 1 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.



VET Environmental Engineering, LLC <small>2335 W. Fountain Drive, Suite B Bloomington, IN 47404 Phone: (812) 822-0400 www.vet-env.com</small>		 1" = 1,667'	Applicant: Indian Creek Quarries, LLC VET Project No.: 11-33.01 USACE ID No.: LRL-2012-45-sam Date: 4/27/2017 Exhibit: 1 of 4 Drawn By: RST Notes:
Map Title: Location Map	Location: Martin County / Lawrence County 12587 Mount Olive Road Williams, IN	Data Sources: 2015 IDHS Parcels, 2013 USGS Williams Topo, 2016 NAIP Imagery	



VET Environmental Engineering, LLC

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Bloomington, IN 47404
Phone: (812) 822-0400
www.vet-env.com

Map Title:

Existing Conditions

Martin County / Lawrence County
12587 Mount Olive Road
Williams, IN

Data Sources:

2015 IDHS Parcels, 2016 NHD Streams, 2014 NWI Wetlands, 2016 NAIP Imagery



1" = 594'

0 120 240 480 Feet

Applicant:

Indian Creek Quarries, LLC

VET Project No.:

11-33.01

USACE ID No.:

LRL-2012-45-sam

Date:

4/26/2017

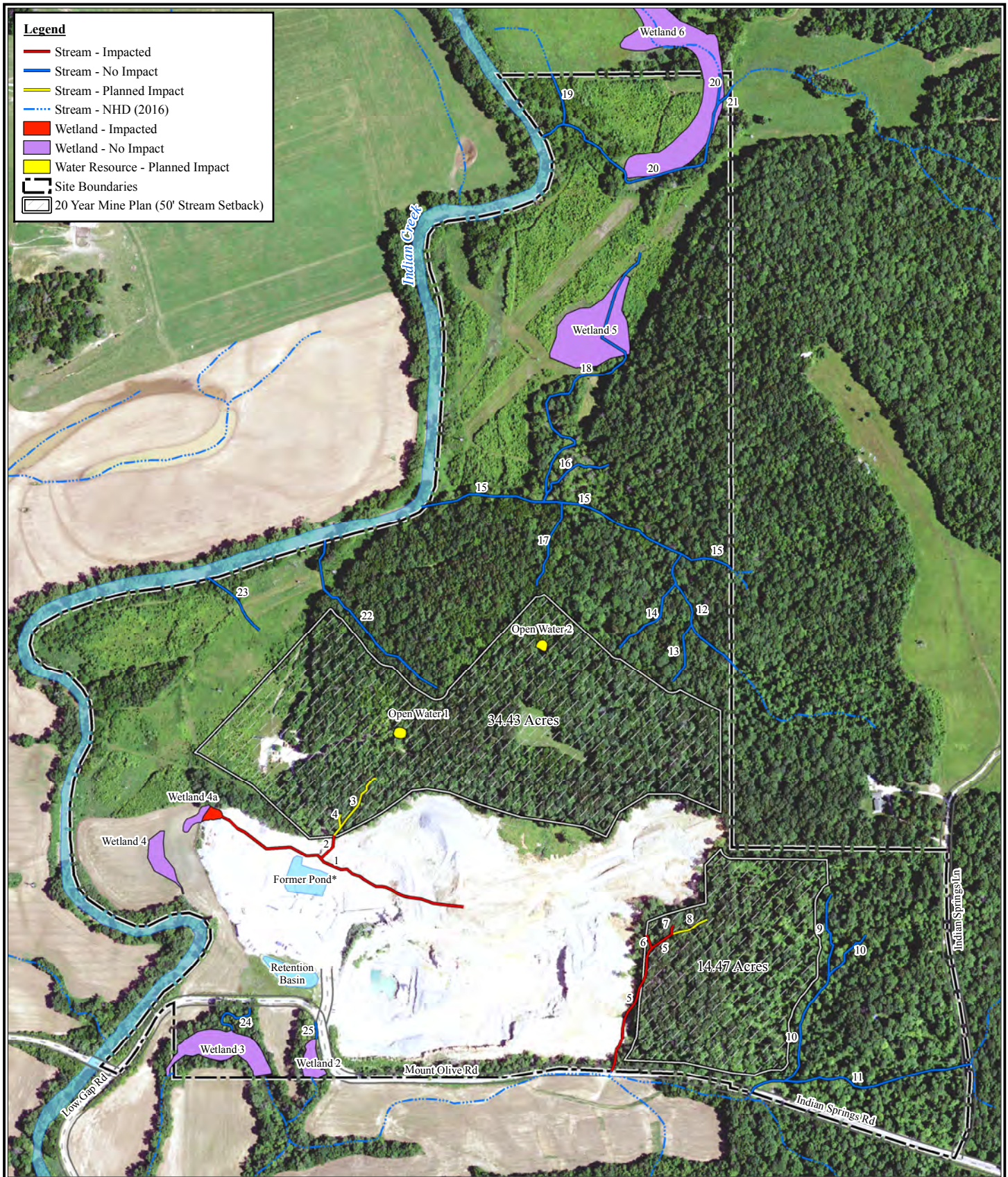
Exhibit:

2 of 4

Drawn By:

RST

Notes:



VET Environmental Engineering, LLC

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Map Title:

20 Year Mine Plan

Martin County / Lawrence County
12587 Mount Olive Road
Williams, IN

Data Sources:

2015 IDHS Parcels, 2016 NHD Streams, 2014 NWI Wetlands, 2016 NAIP Imagery



1" = 594'

0 115 230 460 Feet

Applicant:

Indian Creek Quarries, LLC

VET Project No.:

11-33.01

USACE ID No.:

LRL-2012-45-sam

Date:

5/17/2017

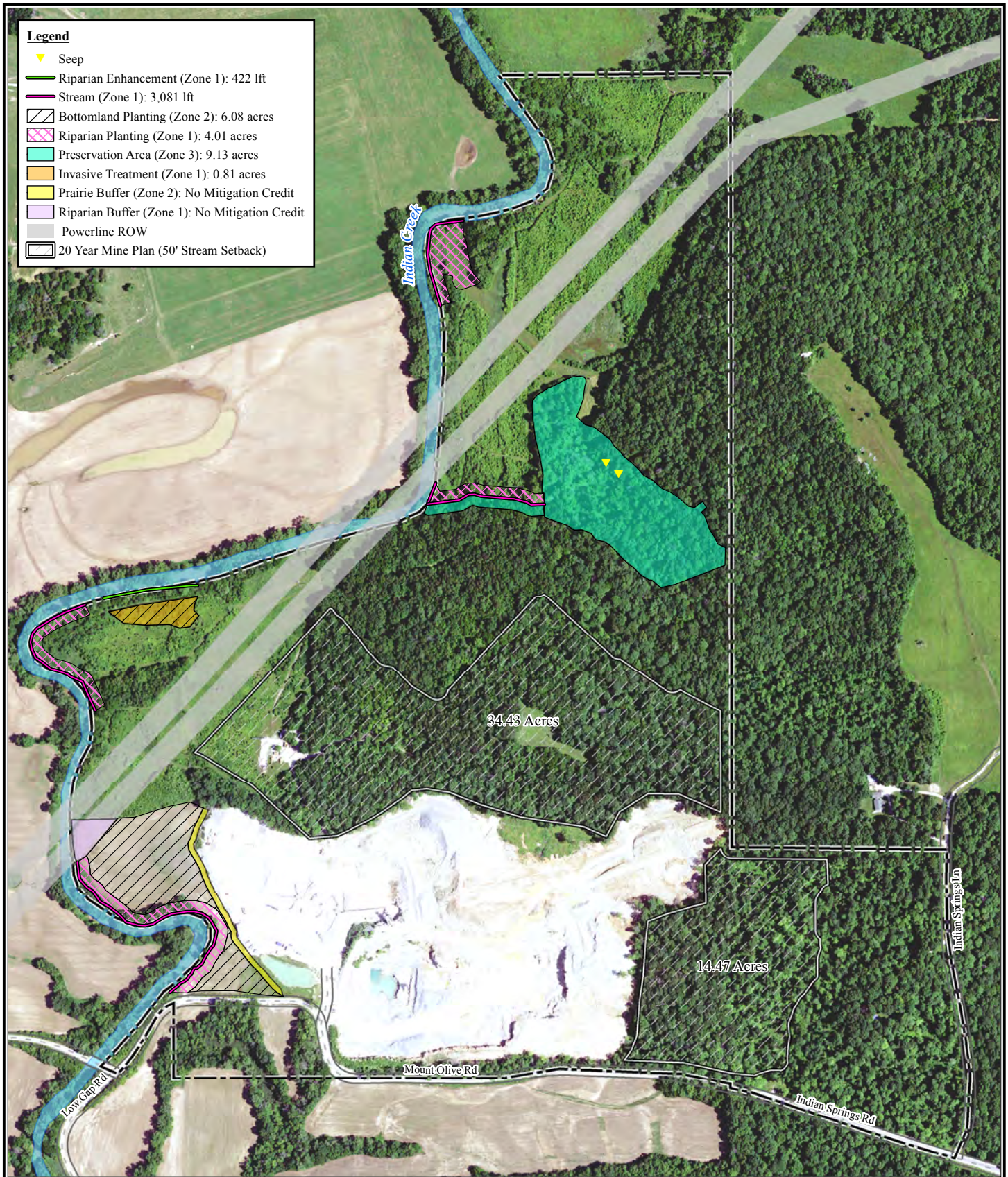
Exhibit:

3 of 4

Drawn By: RST

Notes:

*Non-wetland feature referred to as Wetland 1



Legend

- ▼ Seep
- Riparian Enhancement (Zone 1): 422 lft
- Stream (Zone 1): 3,081 lft
- ▨ Bottomland Planting (Zone 2): 6.08 acres
- ▤ Riparian Planting (Zone 1): 4.01 acres
- ▦ Preservation Area (Zone 3): 9.13 acres
- ▧ Invasive Treatment (Zone 1): 0.81 acres
- ▨ Prairie Buffer (Zone 2): No Mitigation Credit
- ▤ Riparian Buffer (Zone 1): No Mitigation Credit
- Powerline ROW
- ▭ 20 Year Mine Plan (50' Stream Setback)



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Map Title:

Mitigation

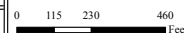
Martin County / Lawrence County
12587 Mount Olive Road
Williams, IN

Data Sources:

2015 IDHS Parcels, 2016 NAIP Imagery, 2017 KCI Technologies Mitigation Data



1" = 594'



Applicant:

Indian Creek Quarries, LLC

VET Project No.:

11-33.01

USACE ID No.:

LRL-2012-45-sam

Date:

5/1/2017

Exhibit:

4 of 4

Drawn By:

RST

Notes: